

Application No. 10/521685
Reply to Action dated August 7, 2008

REMARKS

Applicant respectfully requests favorable reconsideration and reexamination of this application.

Claim 1 has been revised. Revision to claim 1 includes deletions of the term "wherein," and editorial revisions to track with those deletions. Further, claim 1 has been revised to include the feature of "an optical detector" which was recited in its dependant claim 10. Claim 10 has been revised to track with the revision. Claim 10 has been editorially revised to delete a "the." Claims 18-20 have been canceled. There is no new matter. Claims 1, 3-6, and 8-17 are pending.

Election/Restrictions

Claims 18-20 were considered to be directed to an independent invention. Claims 18-20 have been canceled in this application.

Claim Rejections – 35 USC § 112

Claims 1, 3-6, 8-9, and 12-17 were rejected under 35 USC 112, first paragraph. The rejection stated that, for a claim to be enabled, an optical detector should be included as a feature in the claim.

Claim 1 has been revised to include an optical detector as a limitation. Accordingly, claim 1 is allowable. Claims 3-6, 8-9, and 12-17 are allowable for at least the same reason as claim 1 from which they depend.

The Office Action did not substantively address why claims 10-11 were not allowed. Claims 10-11 particularly recited the limitation that was the only basis for the rejection of their base claim 1. Claim 10 has been revised to track with the revision of claim 1. Accordingly, claims 10-11 are allowable for at least the same reasons as claim 1 from which they depend.

For at least the above reasons, Applicant respectfully submits that claims 1, 3-6, and 8-17 are allowable. Applicant respectfully requests a favorable reexamination and reconsideration of the claims.

Application No. 10/521685
Reply to Action dated August 7, 2008

In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Reg. 30,300, at (612)455-3804.



Dated: February 6, 2009

Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902
Minneapolis, MN 55402-0902
(612) 455-3800

By: 

Douglas P. Mueller
Reg. No. 30,300
DPM/ajk